



WP CRL.(MD). No.881 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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Dated : 17.02.2026

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THE HONOURABLE MRS. JUSTICE S.SRIMATHY

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... Petitioner

Vs.

1. The Superintendent of Police,
Madurai, Madurai District.

2. The Tahsildar,,
Usilampatti Taluk,
Madurai District.

3. The Inspector of Police,
Valanthur Police Station,
Madurai District.

4. Thavamani

... Respondents

PRAYER :- Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents 1 to 3 to restrain the 4th respondent and anyone claiming under Kuppamuthan Vaigara from conducting the forthcoming Mahashivarathiri Festival of Arulmighu Shri Muthukaruppan Petchiyamman Temple scheduled to be held from 14.02.2026 to 16.02.2026 at Kovilankulam, Usilampatti Taluk, Madurai District, or from receiving any Thevar Mariyathai or special honours in the said festival, until the civil dispute relating to rights and

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Mariyathai between the parties is finally decided by competent court or forum.

For Petitioner : Ms.S.Meena,

For Respondents : Mr.A.S.Abul Kalaam Azad,
Government Advocate (Crl.Side) for R1 & R3

: Mr.M.Muthumanikkam
Government Advocate for R2

ORDER

This writ petition has been filed seeking issuance of Writ of Mandamus, directing the respondents 1 to 3 to restrain the 4th respondent and anyone claiming under Kuppamuthan Vaigara from conducting the forthcoming Mahashivarathiri Festival of Arulmighu Shri Muthukaruppan Petchiyamman Temple scheduled to be held from 14.02.2026 to 16.02.2026 at Kovilankulam, Usilampatti Taluk, Madurai District.

2. Heard the learned counsel on either side.



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3. According to the petitioner, the festival is proposed to be conducted by carrying a box containing a cloth and other materials required for the celebration. The individual who carries the said box will be adorned with a garland. Certain persons will carry milk pots, and the box will be protected by an umbrella. The procession will be accompanied by musical instruments, and some participants will carry *aruval*, also wearing garlands. The petitioner seeks to restrain the said procession on the apprehension that it may give rise to law and order issues. However, this Court is not inclined to accept the said contention. Mere apprehension of a law and order problem, without any substantive material, cannot be a ground to prohibit a customary celebration. Every religious or community celebration cannot be curtailed on such vague apprehensions. The acts described above do not fall within the ambit of “first honour” in any manner. Insofar as the issue relating to *Thevar Mariyadhai* is concerned, it is brought to the notice of this Court that a civil suit is pending adjudication on the said issue. Therefore, this Court refrains from expressing any opinion or rendering any finding with regard to *Thevar Mariyadhai*, in view of the pendency of the suit.



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Accordingly, insofar as the celebration with the above particulars is concerned, the fourth respondent and others are permitted to conduct the same, for the present year and in future years as well, subject to maintaining peace and public order.

4. With the above observations, the present Writ Petition is dismissed.

17.02.2026

LS

TO

1. The Superintendent of Police,
Madurai, Madurai District..

2. The Tahsildar,,
Usilampatti Taluk,
Madurai District..

3. The Inspector of Police,
Valanthur, Police Station,
Madurai District.

4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

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S.SRIMATHY,J

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